

COPY

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Brian Tack et al.

Serial No.: 09/642,744

Filed: August 18, 2000

For: ALPHA HELICAL PEPTIDES WITH
BROAD SPECTRUM ANTIMICROBIAL
ACTIVITY THAT ARE INSENSITIVE TO
SALT



Group Art Unit: 1646

Examiner: Unknown

Atty. Dkt. No.: IOWA:026US/SLH

CERTIFICATE OF MAILING
37 C.F.R. 1.8

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Box Missing Parts, Commissioner for Patents, Washington, DC 20231, on the date below:

March 12, 2001

Date

Steven L. Highlander

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL
APPLICATION FILED UNDER 37 C.F.R. 1.53(b)**

BOX MISSING PARTS

Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to the Notice to File Missing Parts of Nonprovisional Application Under 37 C.F.R. § 1.53(b), dated October 12, 2000, there are enclosed herewith:

- (a) Declaration executed on behalf of Brian F. Tack, Paul B. McCray, Jr., Michael Welsh, Sue M. Travis and Robert Lehrer;
- (b) Two Power of Attorneys on behalf of The University of Iowa Research Foundation and The Regents of the University of California;
- (c) Two Declarations Claiming Small Entity Status executed on behalf of The University of Iowa Research Foundation and The Regents of the University of California;

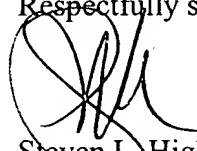
- (d) Our check in the amount of \$1164.00 to cover the basic filing fee (\$355 - utility small entity); surcharge for late filing (\$65.00); additional claims fee (\$299.00); three month extension of time fee (\$445.00);
- (e) A copy of Notice to File Missing Parts of Nonprovisional Application Filed Under 37 C.F.R. 1.53(b)-Filing Date Granted; and
- (f) A Request for Extension of Time of three months to and including March 12, 2001.
- Should such request be absent, consider this such a request and authorization to withdraw the appropriate fee under 37 C.F.R. §§ 1.16 to 1.21 as stated below.

Two Assignments to The University of Iowa Research Foundation and The Regents of the University of California and two checks for \$40.00 each are being filed under separate cover.

If the check is inadvertently omitted, or should any additional fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to the enclosed materials, or should an overpayment be included herein, the Commissioner is authorized to deduct or credit said fees from or to Fulbright & Jaworski Deposit Account No.: 50-1212/10008937/SLH.

Please date stamp and return the accompanying postcard to evidence receipt of these documents.

Respectfully submitted,



Steven L. Highlander
Reg. No. 37,642
Attorney for Applicants

FULBRIGHT & JAWORSKI L.L.P.
600 Congress Avenue, Suite 2400
Austin, Texas 78701
(512) 474-5201

Date: March 12, 2001

Commissioner for Patents

September 27, 2001

Page 2

- (8) A copy of Notice of Incomplete Reply (Nonprovisional), Filing Date Granted;
- (9) Check in the amount of \$695.00; and
- (10) A return postcard to acknowledge receipt of these materials. Please date stamp and mail this postcard.

If the check is inadvertently omitted, or the amount is insufficient, or should any additional fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to the enclosed materials, or should an overpayment be included herein, the Commissioner is authorized to deduct or credit said fees from or to Fulbright & Jaworski Deposit Account No.: 50-1212/10008937/SLH.

Respectfully submitted,



Steven L. Highlander

Reg. No. 37,642

SLH/mar

Encl: as noted



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/642,744	08/18/2000	Brian F. Tack	IOWA:026US

CONFIRMATION NO. 7819

FORMALITIES LETTER



OC000000006330839

Steven M. Hash
FULBRIGHT & JAWORSKI L.L.P.
Suite 2400
600 Congress Avenue
Austin, TX 78701

Date Mailed: 07/23/2001



NOTICE OF INCOMPLETE REPLY (NONPROVISIONAL)

Filing Date Granted

The U.S. Patent and Trademark Office has received your reply on 05/29/2001 to the Notice to File Missing Parts (Notice) mailed 10/12/2000 and it has been entered into the nonprovisional application. The reply, however, does not include the following items required in the Notice.

The period of reply remains as set forth in the Notice. You may, however, obtain EXTENSIONS OF TIME under the provisions of 37 CFR 1.136 (a) accompanied by the appropriate fee (37 CFR 1.17(a)).

A complete reply must be timely filed to prevent ABANDONMENT of the above-identified application.

- Total additional claim fee(s) for this application is \$150.
 - \$150 for 5 independent claims over 3 .
- Late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 was not received.
- **The balance due by applicant is \$ 280.**
- A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing." Applicant must provide a substitute computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d).

For questions regarding compliance to these requirements, please contact:

- **For Rules Interpretation, call (703) 308-4216**
- **To Purchase PatentIn Software, call (703) 306-2600**
- **For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3h lp@uspto.gov**

*A copy of this notice **MUST** be returned with the reply.*

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PART 2 - COPY TO BE RETURNED WITH RESPONSE